

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2626 - SB 3314

March 1, 2010

SUMMARY OF BILL: States that an adjudication or finding by a juvenile court that a defendant committed an act as a juvenile that constitutes a Class A or Class B felony if committed by an adult counts as a prior conviction for purposes of determining the appropriate sentencing range for such defendant. Requires such information to be included in the presentence report.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Not Significant

Assumptions:

- Currently a defendant's prior felony convictions are used to determine if a defendant may receive a longer sentence as a multiple, persistent, or career offender. A finding or adjudication that a defendant committed an act as a juvenile that would constitute a Class A or Class B felony if committed by an adult and resulted in a transfer from juvenile to criminal court may not be considered as a prior conviction unless the juvenile was convicted of a felony in criminal court.
- The courts already have the discretion to impose a sentence within the applicable range. Expanding the existing discretion and requiring such information to be included in the presentence report will result in a not significant increase in state expenditures.
- Any cost can be accommodated within existing resources without an increased appropriation or reduced reversion.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in cursive script, reading "James W. White".

James W. White, Executive Director

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